

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE NATIONAL PRESCRIPTION
OPIATE LITIGATION

This document relates to:

“Track One Cases”

MDL No. 2804

Case No. 17-md-2804

Hon. Dan Aaron Polster

**DECLARATION OF JENNIFER S. PANTINA IN SUPPORT OF
MALLINCKRODT’S MOTION FOR PARTIAL SUMMARY JUDGMENT**

I, Jennifer S. Pantina, declare as follows:

1. I am an attorney at the law firm of Ropes & Gray LLP and counsel to Defendants Mallinckrodt LLC, SpecGx LLC, and Mallinckrodt plc¹ (“Mallinckrodt”).

2. I make this declaration on behalf of Mallinckrodt in support of Mallinckrodt’s Motion for Partial Summary Judgment.

3. Attached as **Exhibit 1** is a true and correct copy of a report generated in response to Plaintiffs’ discovery requests, showing Schedule II opioid products that Mallinckrodt sold or shipped into the Track One jurisdictions from 1996 to 2017, at Bates begin number MNK-T1_0001820275.

4. Attached as **Exhibit 2** is a true and correct copy of a report showing Schedule II opioid products that Mallinckrodt sold nationwide, at Bates begin number MNK-T1_0007897646.

¹ Mallinckrodt plc is an Irish company that is not subject to and contests personal jurisdiction for the reasons explained in its pending motion to dismiss for lack of personal jurisdiction; it is specially appearing to join this motion as a result of the Court’s deadline to file dispositive and *Daubert* motions, and, thus, it does not waive and expressly preserves its pending personal jurisdiction challenge.

5. Attached as **Exhibit 3** is a true and correct copy of excerpts from the report of Meredith Rosenthal, dated March 25, 2019.
6. Attached as **Exhibit 4** is a true and correct copy of excerpts from the deposition of Ginger Collier, dated January 8, 2019.
7. Attached as **Exhibit 5** is a true and correct copy of excerpts from the deposition of Matthew Perri, III, dated April 24, 2019.
8. Attached as **Exhibit 6** is a true and correct copy of excerpts from the deposition of Kevin Vorderstrasse, dated December 5, 2018.
9. Attached as **Exhibit 7** is a true and correct copy of Summit County's Supplemental Response to Manufacturer Defendants' Interrogatory 27, dated July 5, 2018.
10. Attached as **Exhibit 8** is a true and correct copy of Cuyahoga County's Supplemental Response to Manufacturer Defendants' Interrogatory 28, dated July 5, 2018.
11. Attached as **Exhibit 9** is a true and correct copy of excerpts from the deposition of James E. Rafalski, dated May 14, 2019.
12. Attached as **Exhibit 10** is a true and correct copy of excerpts from the deposition of Karen Harper, dated January 15, 2019.
13. Attached as **Exhibit 11** is a true and correct copy of excerpts from the deposition of Seth B. Whitelaw, dated May 17, 2019.
14. Attached as **Exhibit 12** is a true and correct copy of excerpts from the deposition of John Gillies, dated February 7, 2019.
15. Attached as **Exhibit 13** is a true and correct copy of a November 1, 2010 letter from Mallinckrodt to the DEA St. Louis Division Office, at Bates begin number MNK-T1_0000373856.

16. Attached as **Exhibit 14** is a true and correct copy of a November 1, 2010 letter from Mallinckrodt to the DEA Albany Division Office, at Bates begin number MNK-T1_0000288483.

17. Attached as **Exhibit 15** is a true and correct copy of Karen Harper's notes from a November 1, 2010 meeting at the DEA St. Louis Division Office, at Bates begin number MNK-T1_0000421974.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed this 28th day of June, 2019.

/s/ Jennifer S. Pantina

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*Attorney for Defendants Mallinckrodt LLC
and SpecGx LLC, and appearing specially
for Mallinckrodt plc*

CERTIFICATE OF SERVICE

I, Brien T. O'Connor, hereby certify that the foregoing document was served via file transfer protocol to all counsel of record.

/s/ Brien T. O'Connor

Brien T. O'Connor